

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DENNIS W. VAN DE MARK,

4:08CV3041

Plaintiff,

V.

# MEMORANDUM AND ORDER

SETH PETERSON, Officer, CITY  
OF LINCOLN, NEBRASKA, and  
COUNTY OF LANCASTER,  
NEBRASKA,

Defendants.

This matter is before the court on its own motion. On June 6, 2008, the court entered a Memorandum and Order dismissing claims and directing Plaintiff to file an amended complaint no later than July 7, 2008. ([Filing No. 11.](#)) The court warned Plaintiff that failure to file an amended complaint by that deadline would result in the dismissal of this matter without further notice. (*Id.* at CM/ECF p. 7.) Plaintiff has not filed an amended complaint or any other response to the court's June 6, 2008 Order.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court's orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

July 25, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge